

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

EMILY SHILLING, et al.,

Plaintiffs-Appellees

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, et al.,

Defendants-Appellants

No. 25-2039

CIRCUIT RULE 27-3 CERTIFICATE

1. The contact information of the counsel for all parties is as follows:

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2. This motion requires resolution on an emergency timeframe because the district court's order bars the Department of Defense from implementing its 2025 policy and effectively requires the Department to maintain a policy that it has determined undermines military readiness and lethality. The Department therefore seeks a stay pending appeal of the district court's preliminary injunction, and respectfully suggests that the Court enter an immediate administrative stay to allow for orderly briefing and adjudication of this motion.

3. This motion could not have been filed earlier. The district court entered its preliminary injunction in this case on the evening of March 27, 2025, after denying the government's request to stay the injunction pending appeal. That same night, the Acting Solicitor General authorized the government to appeal the judgment and seek a stay pending appeal. The government noticed this appeal the next morning, on March 28.

4. I notified the Court's emergency motions unit by email (emergency@ca9.uscourts.gov) that the government would be filing this motion.

5. I notified counsel for plaintiffs that the government would be filing this motion, and I have served this motion on those counsel by email contemporaneously with its filing. Plaintiffs oppose this motion.

/s/ Amanda L. Mundell
Amanda L. Mundell